

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

TERI COLLINS, *

As the Proposed Administrator of the *

Estate of her deceased daughter, *

AMBER KAUFFMAN, *

Petitioner, *

v. *

SECRETARY OF HEALTH *

AND HUMAN SERVICES, *

Respondent. *

No. 10-175V

Special Master Christian J. Moran

Filed: November 8, 2013

Entitlement; bench ruling.

Mark T. Sadaka, Mark T. Sadaka, MSPH, Esq., Englewood, NJ, for petitioner.

Darryl R. Wishard, United States Department of Justice, for respondent.

DECISION DENYING ENTITLEMENT*

A hearing was held in this matter on November 6-7, 2013. Based on the evidence presented, including petitioner's documentary materials (exhibits 1-68), respondent's documentary materials (exhibits A-T), and the testimony of Doctors Spitz, Yeager and Curtis, petitioner did not establish, by a preponderance of the evidence, the first and second prongs of Althen. See Althen v. Sec'y of Health & Human Servs., 418 F.3d 1274, 1278 (Fed. Cir. 2005).

The undersigned delivered a bench ruling denying entitlement at the end of the hearing on November 7, 2013. The transcript sets forth the basis for the conclusion that petitioner failed to meet her burden of proof. That explanation is incorporated by reference into this decision.

The clerk shall enter judgment in accord with this decision unless a motion for review is filed. For purposes of determining the timeliness of a motion for review, this decision is intended to constitute the decision of the special master.

IT IS SO ORDERED.

s/Christian J. Moran

Christian J. Moran

Special Master

* The E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002), requires that the Court post this decision on its website. Pursuant to Vaccine Rule 18(b), the parties have 14 days to file a motion proposing redaction of medical information or other information described in 42 U.S.C. § 300aa-12(d)(4). Any redactions ordered by the special master will appear in the document posted on the website.